

01/16/01

JC803 U.S. PTO

UTILITY
PATENT APPLICATION
TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.: 2001_0032A

First Named Inventor : Thomas WIEBKE et al.

Title: METHOD AND APPARATUS FOR A CDMA CELLULAR RADIO
TRANSMISSION SYSTEM

Express Mail Label No.:

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form
(Submit an original, and a duplicate for fee processing)
2. ☐ Small Entity Status is hereby asserted.
3. ☒ Specification [Total Pages: 18]
(preferred arrangement set forth below)
- Descriptive title of the Invention
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to Sequence Listing, a table, or a computer program listing appendix.
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 USC 113) [Total Sheets: 4]
5. ☒ Oath or Declaration [Total Pages : 3]
- a.1. ☐ Newly executed (original or copy)
- a.2. ☒ Unexecuted
- b. ☐ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
- i. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named
in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet (see 37 CFR 1.76)

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, D.C. 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or computer program (Appendix)
8. ☐ Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
- a. ☐ Computer Readable Form
- b. Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ Paper
- c. ☐ Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement (when there is an assignee)
☐ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449
☐ Copies of IDS Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i).
Applicant must attach form PTO/SB/35 or its equivalent.
17. ☒ Other
- COVER LETTER FOR APPLICATION FILED WITHOUT
EXECUTED DECLARATION**

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below, and in a preliminary amendment, or in an Application Data Sheet :

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.

Prior Application Information: Examiner Group Art Unit

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference therein. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS



000513

PATENT TRADEMARK OFFICE

By:

Michael S. Huppert
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January 16, 2001

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEE FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re application of :
Thomas WIEBKE et al. :
Serial No. NEW : Attn: APPLICATION BRANCH
Filed January 16, 2001 : Attorney Docket No. 2001_0032A

METHOD AND APPARATUS FOR A CDMA
CELLULAR RADIO TRANSMISSION SYSTEM

PATENT OFFICE FEE TRANSMITTAL FORM

Assistant Commissioner for Patents
Washington, DC 20231

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEE FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975.

Sir:

Attached hereto is a check in the amount of \$1,150.00 to cover Patent Office fees relating to filing the following attached papers:

New application \$1,150.00

A duplicate copy of this paper is being submitted for use in the Accounting Division, Office of Finance.

The Commissioner is authorized to charge any deficiency or to credit any overpayment associated with this communication to Deposit Account No. 23-0975, with the EXCEPTION of deficiencies in fees for multiple dependent claims in new applications.

Respectfully submitted,

Thomas WIEBKE et al.

By Michael S. Huppert
Michael S. Huppert
Registration No. 40,268
Attorney for Applicants

MSH/kjf
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January 16, 2001

[Check No. 41604]
2001_0032A

FILED TO: T230450

DECLARATION AND POWER OF ATTORNEY FOR U.S. PATENT APPLICATION

(X) Original () Supplemental () Substitute () PCT () DESIGN

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that I verily believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Title: METHOD AND APPARATUS FOR A CDMA CELLULAR RADIO TRANSMISSION SYSTEM

of which is described and claimed in:

- () the attached specification, or
 (X) the specification in application Serial No. NEW, filed January 16, 2001, and with amendments through (if applicable), or
 () the specification in International Application No. , filed , and as amended on (if applicable).

I hereby state that I have reviewed and understand the content of the above-identified specification, including the claims, as amended by any amendment(s) referred to above.

I acknowledge my duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim priority benefits under Title 35, United States Code, §119 (and §172 if this application is for a Design) of any application(s) for patent or inventor's certificate listed below and have also identified below any application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

COUNTRY	APPLICATION NO.	DATE OF FILING	PRIORITY CLAIMED
Europe	00100824.2	January 17, 2000	YES

I hereby claim the benefit under Title 35, United States Code §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

APPLICATION SERIAL NO.	U.S. FILING DATE	STATUS: PATENTED, PENDING, ABANDONED

And I hereby appoint Michael R. Davis, Reg. No. 25,134; Matthew M. Jacob, Reg. No. 25,154; Warren M. Cheek, Jr., Reg. No. 33,367; Nils Pedersen, Reg. No. 33,145; Charles R. Watts, Reg. No. 33,142; and Michael S. Huppert, Reg. No. 40,268, who together constitute the firm of WENDEROTH, LIND & PONACK, L.L.P., jointly and severally, attorneys to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith.

I hereby authorize the U.S. attorneys named herein to accept and follow instructions from GRUNECKER, KINKELDEY, as to any action to be taken in the U.S. Patent and Trademark Office regarding this application without direct communication between the U.S. attorneys and myself. In the event of a change in the persons from whom instructions may be taken, the U.S. attorneys named herein will be so notified by me.

Send Correspondence to

Direct Telephone Calls to:

FOOTNOTES

WENDEROTH, LIND & PONACK, L.L.P.
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Area Code (202) 721-8200

Direct Facsimile Messages to:
Area Code (202) 721-8250

Full Name of First Inventor	FAMILY NAME WIEBKE	FIRST GIVEN NAME Thomas	SECOND GIVEN NAME
Residence & Citizenship	CITY Langen	STATE OR COUNTRY Germany	COUNTRY OF CITIZENSHIP Germany
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Full Name of Third Inventor	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
Residence & Citizenship	CITY	STATE OR COUNTRY	COUNTRY OF CITIZENSHIP
Post Office Address	ADDRESS	CITY	STATE OR COUNTRY ZIP CODE
Full Name of Fourth Inventor	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
Residence & Citizenship	CITY	STATE OR COUNTRY	COUNTRY OF CITIZENSHIP
Post Office Address	ADDRESS	CITY	STATE OR COUNTRY ZIP CODE
Full Name of Fifth Inventor	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
Residence & Citizenship	CITY	STATE OR COUNTRY	COUNTRY OF CITIZENSHIP
Post Office Address	ADDRESS	CITY	STATE OR COUNTRY ZIP CODE
Full Name of Sixth Inventor	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
Residence & Citizenship	CITY	STATE OR COUNTRY	COUNTRY OF CITIZENSHIP
Post Office Address	ADDRESS	CITY	STATE OR COUNTRY ZIP CODE

I further declare that all statements made herein of my own knowledge are true, and that all statements on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

1st Inventor _____ Date _____
Thomas WIEBKE
2nd Inventor _____ Date _____
Eiko SEIDEL
3rd Inventor _____ Date _____
4th Inventor _____ Date _____
5th Inventor _____ Date _____
6th Inventor _____ Date _____

The above application may be more particularly identified as follows:

U.S. Application Serial No. NEW Filing Date January 16, 2001

Applicant Reference Number PA 32 537-035/mj Atty Docket No. 2001_0032A

Title of Invention METHOD AND APPARATUS FOR A CDMA CELLULAR RADIO TRANSMISSION SYSTEM

0032A-0001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of :
Thomas WIEBKE et al. : Attn: APPLICATION BRANCH
Serial No. NEW : Docket No. 2001_0032A
Filed January 16, 2001 :

METHOD AND APPARATUS FOR A CDMA
CELLULAR RADIO TRANSMISSION SYSTEM

**COVER LETTER FOR APPLICATION FILED
WITHOUT EXECUTED DECLARATION**

Assistant Commissioner for Patents
Washington, DC 20231

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEE FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975.

Sir:

The above-identified application has been submitted without an executed oath or declaration pursuant to 37 CFR 1.41(c).

It is respectfully requested that this application be assigned a serial number and awarded a filing date pursuant to 37 CFR 1.53.

A duly executed oath or declaration pursuant to 37 CFR 1.63 will be submitted after notification by the U.S. Patent and Trademark Office pursuant to 37 CFR 1.53(f).

A non-executed copy of the Declaration and Power of Attorney, containing the inventorship information, is attached. It is respectfully requested that all communications be directed to the firm indicated on the attached Declaration and Power of Attorney, namely:

WENDEROTH, LIND & PONACK, L.L.P.
2033 K Street, N.W., Suite 800
Washington, D.C. 20006



09/759521

The required U.S. Patent and Trademark Office Filing Fee is submitted herewith.

Respectfully submitted,

Thomas WIEBKE et al.

By Michael S. Huppert

Michael S. Huppert

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January 16, 2001

FILED FOR